

BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON, D.C. 20268-0001

Mail Processing Network Rationalization
Service Standard Changes, 2012

Docket No. N2012-1

**UNITED STATES POSTAL SERVICE NOTICE OF FILING LIBRARY REFERENCE
USPS-LR-N2012-1/NP29 AND APPLICATION FOR NON-PUBLIC STATUS**
(July 2, 2012)

In accordance with Rule 31(b)(2), the United States Postal Service provides notice today that it files the following Category 4 Library Reference:

USPS-LR-N2012-1/NP29 Materials Responsive to APWU/USPS-27 [Non-public]
Pursuant to 39 C.F.R. § 3001.31(b)(2)(ii) and (iii), the Postal Service files this library reference in connection with its response to APWU/USPS-27. The Library Reference includes information concerning the volume in each parcel subcategory for each class of mail that is entered into the system at each type of operating facility. This library reference does not include an update or revise any another library reference. Portions of this list are filed non-publicly for the reasons expressed in the attached application.

Respectfully submitted,
UNITED STATES POSTAL SERVICE

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**UNITED STATES POSTAL SERVICE APPLICATION FOR
NONPUBLIC TREATMENT OF LIBRARY REFERENCE USPS-R-N2012-1/NP29**

In accordance with 39 C.F.R. § 3007.21 and Order No. 225,¹ the United States Postal Service (Postal Service) hereby applies for non-public treatment of certain data filed under seal with the Commission. The materials covered by this application consist of information concerning the volume in each parcel subcategory for each class of mail that is entered into the system at each type of operating facility.

Information of a commercial nature, which under good business practice would not be publicly disclosed, is not required to be disclosed to the public, 39 U.S.C. § 410(c)(2). The Commission may determine the appropriate level of confidentiality to be afforded to such information after weighing the nature and extent of the likely commercial injury to the Postal Service against the public interest in maintaining the financial transparency of a government establishing competing in commercial markets. 39 U.S.C. § 504(g)(3)(A). The public disclosure of the volume in each parcel subcategory for each class of mail that is entered into the system at each type of operating facility could adversely affect the Postal Service. Accordingly, the Postal Service asks the Commission to support its determination that these materials are exempt from public disclosure and grant its application for their non-public treatment.

(1) The rationale for claiming that the materials are nonpublic, including the specific statutory basis for the claim, and a statement justifying application of the provision(s);

The materials designated as nonpublic consist of information concerning the percentages of volume in each parcel subcategory for each class of mail that is entered into the system at each type of operating facility. This information is of a commercial

nature which under good business practice would not be publicly disclosed. The Postal Service does not believe that any commercial enterprise would publicly release such information. It is the view of the Postal Service the information would be exempt from mandatory disclosure pursuant to 39 U.S.C. § 410(c)(2) and (5), and 5 U.S.C. § 552(b)(3) and (4).

(2) Identification, including name, phone number, and email address for any third-party who is known to have a proprietary interest in the materials, or if such an identification is sensitive, contact information for a Postal Service employee who shall provide notice to that third party;

None.

(3) A description of the materials claimed to be nonpublic in a manner that, without revealing the materials at issue, would allow a person to thoroughly evaluate the basis for the claim that they are nonpublic;

The responsive data consists of the percentages of volume in each parcel subcategory for each class of mail that is entered into the system at each type of operating facility.

(4) Particular identification of the nature and extent of commercial harm alleged and the likelihood of such harm;

As noted in part (1), if the redacted information in USPS-LR-N2012-1/NP29 were to be disclosed publicly, the Postal Service considers that it is quite likely that it would suffer economic harm. This information is clearly commercially sensitive to the Postal Service, because it includes details of volumes and processes concerning each parcel subcategory. Public disclosure of this information would give competitors information about Postal Service parcel volumes and processes that could be used by competitors as they design their parcel products and parcel processing.

1 PRC Order No. 225, Final Rules Establishing Appropriate Confidentiality Procedures, Docket No.

(5) At least one specific hypothetical, illustrative example of each alleged harm;

Harm: Public disclosure of analyses and Excel workbooks that concern the volume in each parcel subcategory for each class of mail that is entered into the system at each type of operating facility, which is included in USPS-LR-N2012-1/NP29, could be used by competitors of the Postal Service to the detriment of the Postal Service.

Hypothetical: A competitor of the Postal Service obtains access to the redacted information in USPS-LR-N2012-1/NP29. The competitor analyzes the information to assess the volumes in each parcel subcategory for each class of mail that is entered into the system at each type of operating facility. The competitor uses the information to develop or refine a parcel processing system in order to compete with the Postal Service. The competitor, by developing and/or refining its processing system could reduce the Postal Service's share of the parcel market.

(6) The extent of protection from public disclosure deemed to be necessary;

The Postal Service maintains that the information covered by this application should be withheld from any persons or firms connected to the delivery and logistics markets in any way, whether as providers, customers, or otherwise, as well as such parties' consultants and attorneys.

(7) The length of time deemed necessary for the nonpublic materials to be protected from public disclosure with justification thereof; and

The Commission's regulations provide that nonpublic materials shall lose nonpublic status ten years after the date of filing with the Commission, unless the Commission or its authorized representative enters an order extending the duration of that status. 39 C.F.R. § 3007.30.

(8) Any other factors or reasons relevant to support the application.

None.

Conclusion

For the reasons discussed, the Postal Service asks that the Commission grant its application for nonpublic treatment.